



CITY OF BELMONT

ORDINARY COUNCIL MEETING

MINUTES

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26 MAY 2003

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MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE CITY OF BELMONT CIVIC CENTRE, 215 WRIGHT STREET, CLOVERDALE, ON MONDAY, 26 MAY 2003, COMMENCING AT 7.35PM

PRESENT

Cr A T Richardson, JP (Deputy Mayor)	West Ward
Cr K Bettridge	West Ward
Cr M H Blair	Central Ward
Cr G Dornford	Central Ward
Cr M M Bass	East Ward
Cr G J Godfrey	East Ward
Cr P Marks	East Ward
Cr B Whiteley	South Ward
Cr E Teasdale	South Ward
Cr J Powell	South Ward

IN ATTENDANCE

Mr N Hartley	Acting Chief Executive Officer
Mr R Lutey	Director - Engineering
Mr N Deague	Director – Development
Mr P Varris	Manager – Administrative Services
Mr S Cole	Director – Corporate Services

MEMBERS OF THE PUBLIC

There were 28 attendees in the gallery.

1. OFFICIAL OPENING

In the absence of the Mayor, the Deputy Mayor opened the meeting at 7.35pm and welcomed those in attendance.

2. APOLOGIES & LEAVE OF ABSENCE

2.1 APOLOGIES

Nil.

2.2 LEAVE OF ABSENCE

Cr P Passeri (Mayor) (Refer to Item 10.1.1)

3. DECLARATIONS OF INTEREST

Councillor Dornford declared a financial interest. The interest is in Item 11.5.¹ (Item 9.1.1 of the Works and Technical Services Committee meeting minutes dated 12 May 2003). The nature of the interest being that Council is suing me for the removal of trees at the Belmont Child Care Centre. The extent of the interest is that I may use this Works Committee item as evidentiary material to defend the \$50,000 action by the City.

In accordance with the City of Belmont's Code of Conduct, the Deputy Chief Executive Officer, Mr Neil Hartley declared an interest that could give rise to a reasonable belief that his impartiality may be adversely affected. The interest is in Item 11.6.¹ (Item 9.1.1 of the Community and Executive Services Committee meeting minutes dated 13 May 2003). The nature of the interest being that he attends or represents Council at Belmont Retirement Villages Association, Belmont Community Recreation Association Board of Management and Sister City meetings.

In accordance with the City of Belmont's Code of Conduct, the Deputy Chief Executive Officer, Mr Neil Hartley declared an interest that could give rise to a reasonable belief that his impartiality may be adversely affected. The interest is in Item 11.6.¹ (Item 9.5.2 of the Community and Executive Services Committee meeting minutes dated 13 May 2003). The nature of the interest being that he prepared this report and regularly represents Council on the Belmont Community Recreation Association Board of Management.

In accordance with the City of Belmont's Code of Conduct, Councillor Marks declared an interest that could give rise to a reasonable belief that his impartiality may be adversely affected. The interest is in Item 11.7.¹ (Item 9.6.7 of the Planning and Development Committee meeting minutes dated 19 May 2003). The nature of the interest being that Cr Marks owns property near the subject land.

Councillor Whiteley declared a financial interest. The interest is in Item 11.7.¹ (Items 9.3.2 and 9.6.4 of the Planning and Development Committee meeting minutes dated 19 May 2003). The nature of the interest being that Councillor Whiteley is employed at the Belmont Forum Shopping Centre.

¹ Due to the inclusion of the four Special Committee meeting minutes of 5 May 2003, agenda item numbers 11.1; 11.2; 11.3 and 11.4 were renumbered 11.5; 11.6; 11.7 and 11.8 respectively

Item 3 – Continued...

Councillor Dornford declared a financial interest. The interest is in Item 11.7.¹ (Items 9.3.2 and 9.6.4 of the Planning and Development Committee meeting minutes dated 19 May 2003). The nature of the interest being that Councillor Dornford owns property located nearby to the Town Centre.

In accordance with the City of Belmont's Code of Conduct, Councillor Passeri declared an interest that could give rise to a reasonable belief that his impartiality may be adversely affected. The interest is in Item 10.1 of the Special Council meeting minutes dated 21 May 2003. The nature of the interest being he is the Mayor of the City of Belmont.

The Chief Executive Officer declared a financial interest. The interest is in Item 11.1 of the Special Council meeting minutes dated 21 May 2003. The nature of the interest being that he is an employee of the City and could be impacted on by the decision.

In accordance with the City of Belmont's Code of Conduct, Councillor Passeri declared an interest that could give rise to a reasonable belief that his impartiality may be adversely affected. The interest is in Item 11.8.¹ (Item 10.1.4 of the Resources and Policy Committee meeting minutes dated 20 May 2003). The nature of the interest being that he is the current Mayor.

In accordance with the City of Belmont's Code of Conduct, Councillor Richardson declared an interest that could give rise to a reasonable belief that his impartiality may be adversely affected. The interest is in Item 11.8.¹ (Item 10.1.4 of the Resources and Policy Committee meeting minutes dated 20 May 2003). The nature of the interest being that he is the current Deputy Mayor.

Councillor Teasdale declared a financial interest. The interest is in Item 11.8.¹ (Item 10.7.2 of the Resources and Policy Committee meeting minutes dated 20 May 2003). The nature of the interest being that his wife received a payment from the Sister City Association.

¹ Due to the inclusion of the four Special Committee meeting minutes of 5 May 2003, agenda item numbers 11.1; 11.2; 11.3 and 11.4 were renumbered 11.5; 11.6; 11.7 and 11.8 respectively

Item 3 – Continued...

The Director – Corporate Services, Stuart Cole declared a financial interest. The interest is in Item 11.8.¹ (Item 10.5.1 of the Resources and Policy Committee meeting minutes dated 20 May 2003). The nature of the interest being that as an event organiser he is required to attend some hospitality events offered as part of the sponsorship package.

The Manager – Marketing, Lorraine Francis declared a financial interest. The interest is in Item 11.8.¹ (Item 10.5.1 of the Resources and Policy Committee meeting minutes dated 20 May 2003). The nature of the interest being that as an event organiser she is required to attend some hospitality events offered as part of the sponsorship package.

Councillor Powell declared a financial interest. The interest is in Item 11.7.¹ (Items 9.3.2 and 9.6.4 of the Planning and Development Committee meeting minutes dated 19 May 2003). The nature of the interest being that Cr Powell owns property near the subject land.

Councillor Teasdale declared a financial interest. The interest is in Item 11.6.¹ (Item 9.5.2 of the Community and Executive Services Committee meeting minutes dated 13 May 2003). The nature of the interest being that Councillor Teasdale is a Director of Leisure Australia.

**4. ANNOUNCEMENTS BY THE PRESIDING MEMBER
(WITHOUT DISCUSSION)**

4.1 ANNOUNCEMENTS

Nil.

¹ Due to the inclusion of the four Special Committee meeting minutes of 5 May 2003, agenda item numbers 11.1; 11.2; 11.3 and 11.4 were renumbered 11.5; 11.6; 11.7 and 11.8 respectively

Item 4 – Continued...

4.2 DISCLAIMER

No responsibility whatsoever is implied or accepted by the City of Belmont for any act, omission or statement or intimation occurring during Council or Committee meetings.

The City of Belmont disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation or approval made by any member or Officer of the City of Belmont during the course of any meeting is not intended to be and is not taken as notice of approval from the City of Belmont.

*The City of Belmont warns that anyone who has any application lodged with the City of Belmont must obtain and should only rely on **written confirmation** of the outcome of the application, and any conditions attaching to the decision made by the City of Belmont in respect of that application.*

*****7.37pm** **The Acting Chief Executive Officer read aloud the above disclaimer.**

5. PUBLIC QUESTION TIME

*****7.38pm For the benefit of the public present the Acting Chief Executive Officer stated the rules of Question Time.**

5.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETING

5.1.1 Mrs Bonnie Anderton, 61 Stanton Road, Redcliffe

Mrs Anderton asked a question at the Ordinary Council meeting held on Monday 28 April 2003, which was taken on notice. Correspondence was forwarded to Mrs Anderton on 23 May 2003, details below.

Mrs Anderton asked Councillor Bass if she thought it was appropriate to send lawyers' letters to old age pensioners with the intention of intimidating them and trying to stop them from using their democratic right to free speech?

Councillor Bass has refuted the accusations of intimidation made by Mrs Anderton. There is no basis for the Council to take any action on the information provided. Mrs Anderton may wish to take the matter up with the Electoral Commissioner.

5.2 QUESTIONS ON WHICH WRITTEN NOTICE HAS BEEN GIVEN PRIOR TO THE MEETING

5.2.1 Belmont Residents/Ratepayers Action Group Inc. (c/- Mr P Hitt, 14 McLachlan Way, Belmont)

In November 2000, Council received correspondence relating to the situation presented by the footpath in Durban Street. This footpath is used by the aged and people with disabilities who are confined to motorised wheelchairs.

1. The Council stated in their reply to correspondence dated 22 December 2000 that funding for a new footpath would be included in the next year's budget. It is now 2003. Can Council please confirm when this footpath will be constructed?

The Presiding Member, Works and Technical Services Committee, Cr Teasdale advised that Council's letter of 22 December did not state that funding for the new footpath in Durban Street "would be included in the next year's budget". It said "we are looking at a new path on the opposite side of Durban Street in next year's budget".

Item 5.2.1 – Continued...

The path was included within the traffic treatment project at the Durban Street / Hardey Road / Frederick Street intersection which was not, in the end, included in either the 2001/2002 or 2002/2003 budgets. Because of the limited funds it has not been included in the draft 2003/2004 budget.

The City is not aware of any requests for the path from affected ratepayers since the matter was raised in November 2000 and responded to in the 22 December 2000 letter to Mr Hitt.

Cr Teasdale further advised that he would look at the situation as Presiding Member of the Works and Technical Services Committee.

2. At a previous Council meeting, Council agreed to replace the Cape Lilac trees in Epsom Avenue with more suitable species. We recognise the positive decision made by the City and request an update as to when this request will be actioned?

Cr Teasdale stated that the Council considered Cape Lilac trees in Sydenham Street near the intersection of Epsom Avenue and it is assumed that it is to these trees that the question refers. The trees are scheduled for removal on 4 June 2003.

3. Will Council consider the gradual replacement of bollards used to shield and warn motorists of trees, examples of which can be seen in Epsom Avenue. Some motorcycle riders have difficulty seeing them even with the reflective tape. In Europe heavy duty bounce rubber is used to reduce injuries in collisions. Will Council evaluate using rubber bollards to reduce injuries in the event of collisions?

Cr Teasdale advised that the City's Streetscape Working Group reviews street furniture, such as bollards in an attempt to promote appropriate materials and readily available and economical designs.

As is witnessed by treatments on various projects, it has not always been possible to source a consistent range of products once a material other than treated pine is chosen.

The matter of rubber bollards will be referred to the Streetscape Working Group for its consideration.

All bollards are either treated with reflective strips or have other plastic reflectors fitted to ensure they are visible to all attentive road users.

Item 5.2.1 – Continued...

4. Will Council paint the bull nose of concrete road islands white, to help make them more visible at night?

Cr Teasdale advised that the painting of concrete median islands is the responsibility of Main Roads WA who, through their term network contractor have a programme for these works. If the Belmont Residents/Ratepayers Action Group is aware of any sites that it believes require attention they should advise the City in writing so that these can be referred to Main Roads WA.

5. Many residents and ratepayers would like to know how Councillors voted when electing the Mayor. In the interests of transparency and accountability in local government, will Council introduce a show of hands as a voting procedure when electing the Mayor?

The Deputy Mayor, Cr Alan Richardson replied that as was outlined in the agenda and minutes of the 5 May Special Council meeting, the election of office bearers and Committees was conducted in accordance with the Local Government Act 1995. In particular Schedules 2.3 and 4.1 and the Local Government (Administration) Regulations.

The above legislation states that Councillors are to vote on the matter of the election of Mayor by secret ballot, using the first past the post system (i.e. place a single tick against their favoured candidate). If there is an equality of votes after the first count, a second election is to be conducted and if at the conclusion of the second count an equality of votes still remains, the Chief Executive Officer is to draw lots to determine which Councillor is to be elected Mayor.

It is not within the City's powers to introduce an alternative system to that outlined above.

6. If answer to question 5 is no, will Council prove an explanation as to why not?

The Deputy Mayor stated - please refer to the answer given at (5) above.

7. Will Council recognise the Belmont Residents/Ratepayers Action Group Inc. is not affiliated in any way with the Springs Group (if that is their official name) and please refrain from making this assumption in the future?

The Deputy Mayor advised that the City has no knowledge of the 'affiliations' of either group and to our knowledge, has not suggested that such a formal relationship exists.

**5.2.2 Western Australian Electors' Forum Inc.
(c/- Mr M Robson, 24 Homewood Street, Cloverdale)**

Given that Cr Whiteley aided in the calling of the special meeting to consider several motions including matters behind closed doors, I ask the following of Cr Whiteley:

- (a) What was the benefit to the community of Belmont by this special meeting being undertaken?
- (b) How many electors of the South Ward did Cr Whiteley discuss the motions with prior to the special meeting?
- (c) Why did Cr Whiteley depart the Council meeting just prior to the vote (behind closed doors) being taken and fail to vote; and
- (d) Does the Councillor believe that failing to vote on a matter before Council is accountable, or whether indeed it sets new lows in accountability to the South Ward electors?

Cr Whiteley advised that she would be willing to discuss these matters directly with Mr Robson after the meeting if he wished.

5.2.3 Mr Peter Stewart, 275 Peet Road, Roleystone

In reference to Agenda Item 8 and the petition delivered this afternoon regarding TPS 13, The Springs:

1. Will Council please forward a copy of The Springs petition, along with that material it plans to send to the Department for Planning and Infrastructure at Item 11.7 tonight; that is the Planning and Development Committee minutes of meeting for 19 May 2003, at Item 9.7.1?

The Director – Development advised that the petition in question will be dealt with by Council at Item 8 of tonight's agenda. It is assumed that, as has been previous practice with petitions, it will be referred to the responsible Standing Committee (Planning and Development Committee) to consider what would be the appropriate action.

2. Was Main Roads WA, a landowner in The Springs, invited to make comment on the scheme administration costs? If so what was their comment or submission, the Report and Planning Committee comment on its Item 9.7.1 is silent on this point?

The Director – Development advised that all landowners, including Main Roads WA, were invited to make comments or submissions, and on this occasion Main Roads WA elected not to do so.

Item 5.2.3 – Continued...

3. The Report at Planning Item 9.7.1, on page 131 of the minutes of meeting, advises that the decision to only include in the scheme administration costs the costs of Urban Focus and McLeod's was made at the OCM of 24 March 2003. The minutes of this particular meeting, and the prior minutes of the Committee do not reflect any such decision, why?

The Director – Development advised that the Council decision in this regard was reflected in the minutes of the Planning and Development Committee of the 17 March 2003 (Item 9.7.1) as subsequently endorsed at the Ordinary Council meeting of 24 March 2003. The process taken thus far merely seeks to confirm unequivocally the Scheme Administration Costs would only include the costs of Urban Focus and McLeods in response to the questions from Mr Stewart.

4. Similarly, the Report advises that the Council decision to absorb all other consultant costs associated with The Springs was made at the OCM of 24 March 2003. Again the minutes of this particular meeting, and the prior minutes of the Committee do not reflect any such decision, why?

The Director – Development referred to his previous answer at (3) above.

5. What are the implications and ramifications for Council and The Springs landowners of the Report of Inquiry Recommendation No. 10. That is; that the Department of Local Government and Regional Development considers taking action against Mr Evans for not complying with the obligations placed on him in regard to financial interest provisions of the Local Government Act 1995?

The Director – Development advised that Council is unable to act any further on this specific matter until it has the response and advice from the Department of Local Government and Regional Development.

5.2.4 Mr Mick Ryan, 60 Riversdale Road, Rivervale

In reference to Agenda Item 11.7 this evening, the Planning and Development Committee meeting minutes of 20 May 2003:

1. The Report of Inquiry into the City of Belmont, at Finding 2.15 says that the City did not ensure The Springs project was properly managed from the original appointment of Urban Focus in 1993, and I assume this means up to and including 10 April 2003. What changes does this Council plan to make to:
- (a) correct the (argumentative content removed) of management? and
 - (b) prevent any future management (argumentative content removed) with City of Belmont projects?

The Director – Development advised that in accordance with the Inquiry recommendation a copy of Part 2 of the Inquiry Report on 'The Springs' has been referred to the Department of Planning and Infrastructure (DPI) for consideration and advice on what action Council should take on The Springs Town Planning Scheme (proposed City of Belmont TPS No. 13), and Council is awaiting the DPI's assessment.

Item 5.2.4 – Continued...

2. Would Council please consider rejecting the Planning Committee recommendations at Item 9.7.1 and suspend any further progress on The Springs scheme?

The Director – Development advised that Item 9.7.1 of the Planning and Development Committee meeting dated 19 May 2003 simply deals with the Scheme Administration Costs to date in accordance with a specific request from the DPI. It is inappropriate not to respond to these legitimate requests for information.

3. Should Council not agree to rejecting the Committee recommendations, could it please consider a modification to the recommendation at point 3 so that:
- (a) the landowner petition at Item 8 this evening be also sent to the DPI? and
 - (b) the letters received from Mr Stewart, Mr O’Neil and Unmack and Unmack and the City’s responses to them are also forwarded to the DPI?

The Director – Development advised that this decision rests with Council and will be dealt with when the petition in question is considered.

4. Council is being asked by the Planning Committee to impose costs of some \$300,000 on all so called ‘participating’ landowners in TPS 13, The Springs. It also recommends that Council commends itself for limiting these costs, when it has spent over \$500,000 to date, not to have a scheme. Why should Springs landowners pay one penny, when the Report of Inquiry found that the scheme was so fatally flawed?

The Director – Development advised that this is an issue for the DPI to consider which is best placed to make a judgement in the context of the overall examination of TPS 13. The DPI will refer its findings to the Western Australian Planning Commission, which will in turn make a recommendation to the Minister for Planning and Infrastructure.

5. I ask if I am a participating, or a non-participating landowner in the scheme, according to Council’s last decision on this matter?

The Director – Development advised that this matter will be determined by the WAPC.

6. What are the financial implications on me and other landowners under either of these Council designations if it is Council’s decision to follow the Committee recommendations this evening?

The Director – Development advised that until the Minister for Planning and Infrastructure has made a determination, the details of financial implications are unable to be defined, however the City is obliged to follow due process and will provide the information requested of it.

5.2.5 Mr Bill Foy, 14 Hawksburn Road, Rivervale

In reference to Agenda Item 11.8, the minutes of the Resources and Policy Committee meeting of 20 May 2003. A late item concerning Council's investment property in The Springs, number 16 Malvern Road, was considered by the Committee at Item 10.7.3:

1. Why has the Officer's report failed to properly provide for a major financial implication on the demolition of this property? That is, Council previously rented 16 Malvern Road, what is the quantum of the loss of rent over the period since the premises was vacated, and the recommendation to demolish being made on 20 May 2003?

The Acting Chief Executive Officer advised that the Resources and Policy Committee Late Item 10.7.3 of the 20 May 2003 meeting detailed the re-allocation of funds to accommodate the demolition of 16 Malvern Road, Rivervale. There was no loss of rent over the period the premises was vacated by the last tenant, as at the time of inspection it was considered by Council Officers to be unsuitable for a short term rental up to the 'then' anticipated demolition programmed for July this year.

2. Proposed TPS 13, The Springs, imposes scheme text clause 15, 'Scheme Costs'. At Item 9.7.1 of the Planning Committee meeting of 19 May 2003, 'Scheme Administration Costs' are set; what is the dollar value of these costs that apply to 16 Malvern Road that should be considered in Resources and Policy Committee Item 10.7.3?

The Acting Chief Executive Officer advised that there was no need to consider any TPS 13 'Scheme Administration Costs' in respect to the Late Item 10.7.3 of the Resources and Policy Committee meeting held 20 May 2003, as these would not have any impact on the City's intention to demolish the Council owned building on 16 Malvern Road, Rivervale. Notwithstanding this, it is premature to consider the possible allocation of scheme costs until TPS 13 is approved by the Minister for Planning and Infrastructure.

3. I rang Council prior to Christmas 2002 to advise that doors, windows and roof fittings were being removed from the neighbouring property, that is 16 Malvern Road. Could the Acting Mayor please advise:
 - (a) Will Council take action against the driver of a red and white, early model Holden station sedan, registration number AXP 496, seen removing doors, windows and roof fittings from 16 Malvern Road, Rivervale immediately prior to Christmas 2002?

The City will provide the information to the Police and would appreciate any additional information that will assist in this regard.

Item 5.2.5 – Continued...

- (b) The contents of a shed marked 'Radioactive Material' were buried on site at 16 Malvern Road, Rivervale when the shed was removed by a previous tenant. Will Council investigate the site for evidence of radioactivity prior to any demolition?

The City is not aware of any 'radioactive material' being stored (or buried) at 16 Malvern Road, Rivervale, however we would appreciate additional specific information if this can be provided.

- (c) Council recognised the implications for 'public safety' caused by their building at 16 Malvern Road, Rivervale some time ago, and again some four weeks ago when reported by Mr Ross O'Neil; yet only moved to demolish the disused laboratory when the 'Southern Gazette' ran a front page story last week. I note that gas and electrical connections remain unsafe this evening, even after the Director – Development inspected the site on 17 May 2003 and the Minister for Energy (and local Member) Mr Eric Ripper was notified on 23 May 2003; I ask why immediate action to protect the public has not been taken?

The City's electrical contractor removed the boundary fuses to 16 Malvern Road, Rivervale in late September 2002. The status of the gas connection (if any) is unknown, but will be investigated.

5.2.6 Mr William Elkes, 55 Riversdale Road, Rivervale

In reference to Agenda Item 6.3 this evening, the Confirmation of Minutes of the Special Council meeting held on 21 May 2003:

1. At the Special Meeting, the answer to question Item 5.1.2, sub part 4 refers to the City's Code of Conduct. I ask what check and balance is available in the Code of Conduct at the City of Belmont in regard to Councillors performing their duties impartially and in the best interests of the City?

The Deputy Mayor, Cr Alan Richardson stated that the Councillors' declaration that all Councillors swear to on their first Council meeting includes the statement that they "will observe the Code of Conduct adopted by the City of Belmont, under section 5.103 of the Local Government Act 1995". As with all 'Codes', they rely heavily upon the honesty and integrity of the people to whom they apply, to abide by them. Notwithstanding, a compulsory (enforceable) Code is being researched for future introduction to the local government industry, and it is understood that this will be policed by a Tribunal with the power to suspend individual Councillors.

Item 5.2.6 – Continued...

2. At the Special Meeting, did not the CEO have an interest that could give rise to a reasonable belief that his impartiality may be adversely affected at Item 10.1 when the Report of Inquiry into the City of Belmont was discussed and censures decided?

Cr Richardson stated that the Chief Executive Officer is not available to assist with the answer to this question, but it is considered safe to say that the answer is "No".

3. The WALGA publication 'The Complete Guide to the Local Government Act 1995', under the heading 'Councillors Manual' – 'Role and Responsibilities of the Person Presiding' we are advised that, and I quote... "*Impartiality is said to be the hallmark of a good presiding person*". In the same division, at section 5.2.3 WALGA advise... "*The person presiding should remain impartial, although (s)he may enter debate and move or second motions*". Having already declared his interest that a reasonable belief would be that his impartiality could be adversely affected; why did Mayor Passeri continue to preside over the meeting that was considering his censure in two separate motions at Item 10.1?

Cr Richardson advised that the Mayor is not available to assist with the answer to this question. Notwithstanding, City of Belmont meetings are guided by its Standing Orders and Clause 9.3 of the Standing Orders states "unless otherwise prohibited by the Act, and subject to compliance with procedures for the debate of motions contained in these Standing Orders, the person presiding may take part in a discussion of any matter before the Council or Committee as the case may be. Provided that where the person presiding moves a motion or amendment he shall first vacate the Chair and Deputy Presiding Member shall preside over the meeting during such time as the motion or amendment is being debated and voted upon".

4. At Cr Bettridge's motion 6 ... 'That the City table costs incurred, particularly the legal costs, in responding to the Department of Local Government's Inquiry and Report'. I note that the CEO had already advised these costs within his report. For how long has the CEO been deciding motions, before they are put and voted on by Council?

Cr Richardson advised that the Chief Executive Officer did not and has not in the past 'decided' Council motions. A schedule of information was provided for the benefit of Council and the community as part of the officer's report in an endeavour to provide timely, relevant and helpful information for Council to make its decision.

***8.05pm

5.3 QUESTIONS FROM THE FLOOR

5.3.1 Mr Ray Harris, 481 Abernethy Road, Cloverdale

1. In respect to the Esther Street development detailed in the Inquiry Report, why did the developer pay only a \$25,000 contribution to the overall cost of \$100,000?

The Director – Engineering advised that this matter is answered in the 'consolidated' Inquiry Report.

2. What is a 'determination' as used on the context of the Inquiry Report?

The Deputy Mayor took the question on notice.

5.3.2 Mr Robert Rossi, 108 Fulham Street, Kewdale

In respect to the five, two storey grouped dwelling unit development proposed on Lot 622 (382) Wright Street, Cloverdale, will Council take into consideration the level of Homeswest presence has in the City and that in essence this property will in future accommodate five families compared to one family now?

The Director – Development advised that the development is to be considered by Council later this evening, however the level of Homeswest presence in the City was considered by the Planning and Development Committee members, particularly the impact this style of public housing development would have in the City. However, the residential density coding of R20-40 permitted this form of development.

5.3.3 Mr Roger Broinowski, 66 Armadale Road, Rivervale

Is the Council aware that there are not just two 'special interest' groups in the City, but at least ten minority groups, and would the Deputy Chair like me to highlight these?

The Deputy Mayor advised that he did not wish Mr Broinowski to detail these, and suggested that these groups publish their contact details and objectives in the Community Directory.

Item 5.3 – Continued...

5.3.4 Mr P Stewart, 275 Peet Road, Roleystone

In reference to Item 11.5 being the Works and Technical Services Committee meeting minutes of 12 May 2003, in particular Item 6 of those minutes where my submission was not accepted.

Mr Stewart commenced reading his submission upon which the Deputy Mayor noted that it was not a question and ruled Mr Stewart out of order.

*****8.13pm** Due to repeated interjections by Mr Stewart , to the extent that he was interrupting the proceedings of Council, the Deputy Mayor directed Mr Stewart to be removed from the Chamber.

*****8.15pm**

MARKS MOVED, POWELL SECONDED, that the meeting adjourn for five minutes.

CARRIED 6 VOTES TO 4

*For: Godfrey, Blair, Marks
Richardson, Whiteley, Powell*

*Against: Dornford, Teasdale
Bettridge, Bass*

Cr's Whiteley, Teasdale, Powell, Marks and Godfrey left the Chamber.

*****8.16pm** Cr's Whiteley, Powell, Marks and Teasdale returned to the Chamber.

*****8.17pm** Cr Godfrey returned to the Chamber.

MARKS MOVED, POWELL SECONDED, that the meeting resume.

CARRIED 9 VOTES TO 1

*For: Godfrey, Blair, Marks
Richardson, Bettridge, Teasdale
Bass, Whiteley, Powell*

Against: Dornford

5.3.5 Mr Paul Hitt, 14 McLachlan Way, Belmont

Extract from the Mayor's statement, fourth paragraph up from the bottom of page 4 of the Open Council meeting dated 26 May 2003.

"The City of Belmont will continue to provide good governance and will no longer tolerate the vindictive self-interested barrage from the several people who have misled and manipulated others into supporting their personal self-interest".

Will the Mayor please clarify this statement? Are the residents and ratepayers of Belmont to assume that any person or group of people who have the audacity to question the decisions of this Council will be subject to legal or some other means of retaliatory action, is this a threat?

The Deputy Mayor clarified the statement by advising in regard to the second part of the question "No".

*****8.19pm The Deputy Mayor announced that the time allotted for Question Time had elapsed.**

BASS MOVED, DORNFORD SECONDED, that Question Time be extended by five minutes.

CARRIED 10 VOTES TO 0

5.3.6 Mr Mick Ryan, 60 Riversdale Road, Rivervale

1. In respect to the Council owned property at 16 Malvern Road, Rivervale, did Council authorise the removal of two abandoned vehicles on the property and if so under what authority and at what cost?

The Deputy Mayor took the question on notice.

2. Were these vehicles on the Main Roads WA 'owned' portion of the property and if so will Council recoup the cost from Main Roads WA?

The Deputy Mayor took the question on notice.

*****8.21pm As there were no further questions, the Deputy Mayor declared Public Question Time closed.**

6. CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING HELD 28 APRIL 2003

OFFICER RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on 28 April 2003, as printed and circulated to all Councillors, be confirmed as a true and accurate record.

***MARKS MOVED, TEASDALE SECONDED*, that the minutes of the Ordinary Council Meeting held on 28 April 2003, as printed and circulated to all Councillors, be confirmed as a true and accurate record, subject to the resolution at Item 6.1 (Confirmation of Minutes – Ordinary Council meeting held 24 March 2003) reading as –**

“That the minutes of the Ordinary Council meeting held on 24 March 2003, as printed and circulated to all Councillors, be confirmed as a true and accurate record, subject to the Councillors ‘for’ the resolution at Item 5.3 (requesting an extension of Question Time) reading Councillors ‘Bass, Teasdale, Blair, Godsell, Marks, Murfin, Powell, Richardson” and those Councillors ‘against’ reading “Passeri, Doney, Godfrey”.

CARRIED 9 VOTES TO 1

*For: Godfrey, Blair, Marks
Richardson, Teasdale, Bettridge
Bass, Whiteley, Powell*

Against: Domford

6.2 SPECIAL COUNCIL MEETING HELD 5 MAY 2003

OFFICER RECOMMENDATION

That the minutes of the Special Council Meeting held on 5 May 2003, as printed and circulated to all Councillors, be confirmed as a true and accurate record.

***GODFREY MOVED, MARKS SECONDED*, that the minutes of the Special Council Meeting held on 5 May 2003, as printed and circulated to all Councillors, be confirmed as a true and accurate record.**

CARRIED 10 VOTES TO 0

**6.3 SPECIAL COUNCIL MEETING
HELD 21 MAY 2003**

OFFICER RECOMMENDATION

That the minutes of the Special Council Meeting held on 21 May 2003, as printed and circulated to all Councillors, be confirmed as a true and accurate record.

MARKS MOVED. BLAIR SECONDED, that the minutes of the Special Council Meeting held on 21 May 2003, as printed and circulated to all Councillors, be confirmed as a true and accurate record.

CARRIED 9 VOTES TO 1

*For: Godfrey, Blair, Marks
Richardson, Teasdale, Bettridge
Bass, Whiteley, Powell*

Against: Dornford

**7. QUESTIONS BY MEMBERS ON WHICH DUE NOTICE HAS BEEN GIVEN
(WITHOUT DISCUSSION)**

Nil.

8. PETITIONS AND MEMORIALS

8.1 PETITION – MIDDLETON STREET, CLOVERDALE

Report by Acting Chief Executive Officer

IS THIS PROPOSAL CONSISTENT WITH COUNCIL'S OPERATIONAL PLAN?	N/A
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BACKGROUND

A petition has been received from 32 residents of Middleton Street and adjoining streets, which states:

"We the undersigned respectfully request that speed humps (4) be installed in Middleton Street, Cloverdale due to the following reasons:

- **Traffic Speed** – cars and off road motorcycles are travelling up and down this road at speeds up to 80+km per hour.
- **Island** – there is one traffic island in Middleton Street, to which vehicles will use either side of depending on the speed they are travelling at, on occasions vehicles have gone over the island. Some vehicles turning right from Sutherland Way use the wrong side of the island which could be the cause for a head-on collision in the near future.
- **Bad Element** – there are several particular bad element groups (argumentative comment removed) this is leading to street drinking, drug use, offensive language and behaviour, burnouts in the intersection, driving on the park surrounds, and of course speeding up and down Middleton Street. There are a couple of young persons in Vidler Street (argumentative comment removed). Sooner or later the inevitable will occur, some innocent person or child will end up being the victim of this element, being maimed or killed through the actions of these people.
- **Residents** – there are a lot of long term residents who live in Middleton Street and the surrounding area and have grave concerns as to what is happening in this area. They should have some peace of mind when they go out, or go to bed. It is as if Belmont Council and the State Housing Commission have little or no concern for this little back-water of the Shire, and put a majority of the (argumentative comment removed) into the area, creating a frightening and lonely lifestyle for some of the older residents.
- **Conclusion** – we the undersigned believe that with the implementation of speed humps installed in Middleton Street it would put an end to this speeding element and these (argumentative comment removed) would think twice before wishing to modify their suspension. If this ultimately saves just one fatality or injury it would be worth it, and we would be sending the message... we will not accept speeding (argumentative comment removed) in Middleton Street."

Item 8.1 – Continued...

COMMENT

Nil.

BLAIR MOVED, GODFREY SECONDED, that the petition be noted and referred to the next meeting of the Works and Technical Services Committee for its consideration.

CARRIED 10 VOTES TO 0

8.2 PETITION – TOWN PLANNING SCHEME NO. 13

Report by Acting Chief Executive Officer

IS THIS PROPOSAL CONSISTENT WITH COUNCIL'S OPERATIONAL PLAN?	N/A
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BACKGROUND

A petition has been received from Mr M Ryan, Mr R O'Neil and Mr P Stewart, which states:

"We the following landowners are spokespersons for the Springs Private Landowners Group, a group that represents the majority of the private landowners in the area within the City of Belmont's proposed Town Planning Scheme No. 13 and are the promoters of this petition dated 26 May 2003.

To the Mayor and Councillors of the City of Belmont in Council assembled.

The undersigned spokespersons and electors in the City of Belmont, say...

That the published minutes of the City of Belmont's Planning and Development Committee meeting dated 5 May 2003 at Item 9.7.1 misunderstands the findings of the Report of Inquiry at Part 2, disregards and disrespects the opinion and wishes of the majority of the private landowners in the proposed Town Planning Scheme No. 13.

We register our strong protest and confirm that we have no confidence in the Scheme Managers, Council Officers or the Elected Members of this Committee that carried the recommendation. We wish no involvement in a compulsory landpool with, or compulsory acquisition by, Council as proposed in the Scheme. We refute the arbitrary costs imposed.

Item 8.2 – Continued...

We hereby ask that Council:

1. Reject the recommendation of the Planning and Development Committee at Item 9.7.1 this evening and suspend any further progress on the Scheme pending an independent legal opinion on the findings of the Report of Inquiry into the City of Belmont tabled in Parliament on 10 April 2003.
2. Consider clawing back some of the \$500,000 the Council has spent on The Springs from the same consultants/contractors who took the money, without delivering a Scheme.
3. Terminate the contract of Urban Focus as Scheme Manager.
4. Council re-audit its financial accounts for the 2001-2002 year to locate and substantiate the 'missing' \$200,000 which the Planning and Development Committee wish to add to the \$120,325 in this claim against landowners. Note that the audited accounts show only an amount of \$120,325 has been set aside as 'recoverable' in the accounts of the City as at 30 June 2002 for The Springs.
5. Rescind the adoption of Town Planning Scheme No. 13 and advise the Minister for Planning and Infrastructure that this Council does not wish to proceed with the Scheme.
6. Implement a structure plan for the area and allow the development of The Springs in a free market; free from the yoke of compulsion, compulsory acquisitions, compulsory landpools and speculation by the City; further that Council owned land such as Clinic Park and the drainage reserve remain as public property."

COMMENT

Nil.

MARKS MOVED, GODFREY SECONDED, that the petition be noted and referred to the next meeting of the Planning and Development Committee for its consideration.

CARRIED 10 VOTES TO 0

9. BUSINESS ADJOURNED FROM A PREVIOUS MEETING

Nil.

10. CORRESPONDENCE

10.1 LEAVE OF ABSENCE

10.1.1 Cr Passeri - Leave Of Absence

Report by Acting Chief Executive Officer.

APPLICATION

To advise Council of correspondence received from Councillor Passeri requesting leave of absence from Monday 26 May to Thursday 29 May 2003, inclusive.

BACKGROUND

Councillor Passeri has requested leave of absence from all Council and Committee meetings for the period 26 May to 29 May 2003, inclusive.

COMMENT

Nil.

BLAIR MOVED. GODFREY SECONDED, that Councillor Passeri be granted leave of absence from all Council and Committee meetings for the period Monday 26 May to Thursday 29 May 2003, inclusive.

CARRIED 10 VOTES TO 0

10.2 GENERAL

Nil.

10.3 LATE CORRESPONDENCE OF AN URGENT NATURE

Nil.

***8.35pm

11. REPORTS OF COMMITTEES

**11.1 SPECIAL WORKS AND TECHNICAL SERVICES COMMITTEE MEETING
HELD 5 MAY 2003**

Receipt of Minutes

TEASDALE MOVED, BLAIR SECONDED, that the minutes of the Special Works and Technical Services Committee meeting held on 5 May 2003, as printed and circulated to all Councillors, be received.

CARRIED 10 VOTES TO 0

ADOPTION OF THE REPORT

TEASDALE MOVED, MARKS SECONDED, that recommendation items 2, 3, 4, 5 and 6 of the Special Works and Technical Services Committee meeting held on 5 May 2003, be adopted.

CARRIED 10 VOTES TO 0

**11.2 SPECIAL COMMUNITY AND EXECUTIVE SERVICES COMMITTEE MEETING
HELD 5 MAY 2003**

Receipt of Minutes

GODFREY MOVED, WHITELEY SECONDED, that the minutes of the Special Community and Executive Services Committee meeting held on 5 May 2003, as printed and circulated to all Councillors, be received.

CARRIED 10 VOTES TO 0

ADOPTION OF THE REPORT

BLAIR MOVED, MARKS SECONDED, that recommendation items 2, 3, 4, 5 and 6 of the Special Community and Executive Services Committee meeting held on 5 May 2003, be adopted.

CARRIED 10 VOTES TO 0

**11.3 SPECIAL PLANNING AND DEVELOPMENT COMMITTEE MEETING
HELD 5 MAY 2003**

Receipt of Minutes

WHITELEY MOVED, POWELL SECONDED, that the minutes of the Special Planning and Development Committee meeting held on 5 May 2003, as printed and circulated to all Councillors, be received.

CARRIED 10 VOTES TO 0

ADOPTION OF THE REPORT

BLAIR MOVED, BETTRIDGE SECONDED, that recommendation items 2, 3, 4, 5 and 6 of the Special Planning and Development Committee meeting held on 5 May 2003, be adopted.

CARRIED 10 VOTES TO 0

**11.4 SPECIAL RESOURCES AND POLICY COMMITTEE MEETING
HELD 5 MAY 2003**

Receipt of Minutes

GODFREY MOVED, TEASDALE SECONDED, that the minutes of the Special Resources and Policy Committee meeting held on 5 May 2003, as printed and circulated to all Councillors, be received.

CARRIED 10 VOTES TO 0

ADOPTION OF THE REPORT

GODFREY MOVED, POWELL SECONDED, that recommendation items 2, 3 and 4 of the Special Resources and Policy Committee meeting held on 5 May 2003, be adopted.

CARRIED 10 VOTES TO 0

**11.5 WORKS AND TECHNICAL SERVICES COMMITTEE MEETING
HELD 12 MAY 2003**

Receipt of Minutes

***BASS MOVED, TEASDALE SECONDED*, that the minutes of the Works and Technical Services Committee meeting held on 12 May 2003, as printed and circulated to all Councillors, be received.**

CARRIED 10 VOTES TO 0

WITHDRAWN ITEMS

Item 9.1.1 was withdrawn at the request of Cr Powell.

ADOPTION OF THE BALANCE OF THE REPORT

***TEASDALE MOVED, POWELL SECONDED*, that recommendation items 7.1, 7.2, 9.1.2, 9.2.1 – 9.2.3, 9.3.1 – 9.3.4, 9.4.1 and 9.4.2 of the Works and Technical Services Committee meeting held on 12 May 2003, be adopted en bloc (i.e. with the exception of item 9.1.1).**

CARRIED 10 VOTES TO 0

*****8.41pm** Having earlier declared a financial interest in the following item, Councillor Dornford departed the Chamber.

**11.5.1 Withdrawn Item 9.1.1 – Removal of Street Tree Adjacent to
2 Mercato Court, Kewdale**

***POWELL MOVED, BASS SECONDED*, that the Committee Recommendation be adopted without amendment or modification.**

CARRIED 9 VOTES TO 0

*****8.43pm** Councillor Dornford returned to the Chamber.

**11.6 COMMUNITY AND EXECUTIVE SERVICES COMMITTEE MEETING
HELD 13 MAY 2003**

Receipt of Minutes

POWELL MOVED, GODFREY SECONDED, that the minutes of the Community and Executive Services Committee meeting held on 13 May 2003, as printed and circulated to all Councillors, be received.

CARRIED 10 VOTES TO 0

WITHDRAWN ITEMS

Item 9.5.1 was withdrawn at the request of Cr Bass.
Item 9.5.2 was withdrawn at the request of Cr Powell.

ADOPTION OF THE BALANCE OF THE REPORT

POWELL MOVED, BLAIR SECONDED, that recommendation items 7.1, 7.2, 9.1.1 – 9.1.6 and 10.0 of the Community and Executive Services Committee meeting held on 13 May 2003, be adopted en bloc (i.e. with the exception of items 9.5.1 and 9.5.2).

CARRIED 10 VOTES TO 0

11.6.1 Withdrawn Item 9.5.1 – 2005 City of Belmont Elections - Postal

BASS MOVED, TEASDALE SECONDED, that the Committee recommendation not be adopted and that in order to achieve a smoother conduct of postal elections:

- 1. That Council reinforce its previous position, that future elections at the City of Belmont be conducted as postal elections; and**
- 2. That the Electoral Commission be requested to provide comprehensive education and training to its appointed Officers so as to ensure a sound understanding of the Governing Legislation.**

CARRIED 10 VOTES TO 0

Item 11.6 – Continued...

*****8.52pm** Having earlier declared a financial interest in the following item, Councillor Teasdale departed the Chamber.

11.6.2 Withdrawn Item 9.5.2 – Belmont Oasis Leisure Centre and Ascot Water Playground – Strategic Consideration

POWELL MOVED, GODFREY SECONDED, that the Committee Recommendation be adopted without amendment or modification.

CARRIED 8 VOTES TO 1

*For: Godfrey, Blair, Marks
Richardson, Bettridge
Bass, Whiteley, Powell*

Against: Domford

*****8.53pm** Cr Teasdale returned to the Chamber.

**11.7 PLANNING AND DEVELOPMENT COMMITTEE MEETING
HELD 19 MAY 2003**

Receipt of Minutes

BLAIR MOVED, MARKS SECONDED, that the minutes of the Planning and Development Committee meeting held on 19 May 2003, as printed and circulated to all Councillors, be received.

CARRIED 10 VOTES TO 0

WITHDRAWN ITEMS

Item 9.3.2 was withdrawn at the request of Cr Marks.
Items 9.6.1, 9.6.4 and 9.7.1 were withdrawn at the request of Cr Bass.
Item 9.7.2 was withdrawn at the request of Cr Blair.

*****8.58pm** Cr Teasdale sought permission from the Chair to leave the meeting for personal reasons. This was granted and Cr Teasdale left the Chamber and did not return.

Item 11.7 – Continued...

ADOPTION OF THE BALANCE OF THE REPORT

MARKS MOVED, POWELL SECONDED, that recommendation items 7.1, 7.2, 9.3.1, 9.6.2, 9.6.3, 9.6.5 – 9.6.18 and 9.7.3 of the Planning and Development Committee meeting held on 19 May 2003, be adopted en bloc (i.e. with the exception of items 9.3.2, 9.6.1, 9.6.4, 9.7.1 and 9.7.2).

CARRIED 9 VOTES TO 0

*****9.02pm** Having earlier declared a financial interest in the following item, Councillors Dornford, Powell and Whiteley left the Chamber.

11.7.1 Withdrawn Item 9.3.2 – Car Parking Provision – Belmont Town Centre

MARKS MOVED, BASS SECONDED, that the Committee Recommendation be adopted without amendment or modification.

CARRIED 6 VOTES TO 0

With the consent of the meeting, withdrawn item 9.6.4 was brought forward to accommodate the interest declarations of Crs Dornford, Powell and Whiteley.

11.7.2 Withdrawn Item 9.6.4 – Lot 1 (268) Belmont Avenue, Cloverdale – Proposed Fast Food/Takeaway (Pizza Hut) Outlet within an Existing Building.

BASS MOVED, MARKS SECONDED, that the Committee recommendation not be adopted and to allow Council more time to consider this item, it be referred back to the next Planning and Development Committee meeting for further consideration.

CARRIED 6 VOTES TO 0

*****9.17pm** Crs Dornford, Powell and Whiteley returned to the Chamber.

Item 11.7 – Continued...

**11.7.3 Withdrawn Item 9.6.1 – Lot 3 (37-49) Abernethy Road, Belmont –
Unauthorised Business – Visy Recycling**

BASS MOVED, DORNFORD SECONDED, that the Committee recommendation not be adopted and to extend Visy Recycling an opportunity to meet Council requirements, Council officers continue to work positively with the lessee to develop a suitable planning application to support the business remaining in its current location, in accordance with the City's professed ideal of being the City of Opportunity.

*****9.40pm** Due to repeated interjections by Cr Dornford, the Deputy Mayor in accordance with clause 15.1(3) of the City of Belmont Standing Orders, directed that Cr Dornford refrain from taking any further part in the meeting other than by recording his vote.

The substantive motion was put and ...

LOST 2 VOTES TO 7

For: Bass, Dornford

*Against: Godfrey, Blair, Marks
Richardson, Bettridge
Whiteley, Powell*

MARKS MOVED, BLAIR SECONDED, that the Committee Recommendation be adopted without amendment or modification.

CARRIED 7 VOTES TO 2

*For: Godfrey, Blair, Marks
Richardson, Bettridge
Whiteley, Powell*

Against: Bass, Dornford

11.7.4 Withdrawn Item 9.7.1 – Approval of Amount of Scheme Administration Costs Incurred to Date – Proposed City of Belmont Town Planning Scheme No. 13 – ‘The Springs’

BASS MOVED, DORNFORD SECONDED, that the Committee recommendation not be adopted and due to Cr Bass’ concern regarding the allocation of scheme costs on the participating landowners in the TPS 13 area, the item be referred to the next Planning and Development Committee meeting for further consideration.

LOST 4 VOTES TO 5

*For: Bass, Dornford
Bettridge, Whiteley*

*Against: Godfrey, Blair, Marks
Richardson, Powell*

MARKS MOVED, BLAIR SECONDED, that the Committee Recommendation be adopted without amendment or modification.

CARRIED ~~6~~ 5 VOTES TO ~~3~~ 4

*For: Godfrey, Blair, Marks
Richardson, Powell, ~~Dornford~~*

Refer OCM 23/06/03 Item 6.1 – A Collier (RIM) 16/07/03

Against: Bass, Bettridge, Whiteley, ~~Dornford~~

11.7.5 Withdrawn Item 9.7.2 – Proposed Prostitution Control Bill 2003

BLAIR MOVED, GODFREY SECONDED, that the Committee recommendation not be adopted and to allow Council additional time to consider the matter, the item be referred back to the next Planning and Development Committee meeting for further consideration.

CARRIED 9 VOTES TO 0

**11.8 RESOURCES AND POLICY COMMITTEE MEETING
HELD 20 MAY 2003**

Receipt of Minutes

GODFREY MOVED, BLAIR SECONDED, that the minutes of the Resources and Policy Committee meeting held on 20 May 2003, as printed and circulated to all Councillors, be received.

CARRIED 9 VOTES TO 0

WITHDRAWN ITEMS

Item 10.1.4 was withdrawn at the request of Cr Godfrey.

Item 10.2.1 was withdrawn at the request of Cr Bass.

ADOPTION OF THE BALANCE OF THE REPORT

GODFREY MOVED, POWELL SECONDED, that recommendation items 8.1, 8.2, 10.1.1 - 10.1.3, 10.5.1, 10.5.2, 10.6.1, 10.7.1 – 10.7.3, 10.8.1 and 11.1 of the Resources and Policy Committee meeting held on 20 May 2003, be adopted en bloc (i.e. with the exception of items 10.1.4 and 10.2.1).

CARRIED 9 VOTES TO 0
ABSOLUTE MAJORITY

11.8.1 Withdrawn Item 10.1.4 – Review of Mayoral Allowance

GODFREY MOVED, BETTRIDGE SECONDED, that the Committee recommendation not be adopted and that to allow Council additional time to consider the matter, the item be referred back to the next Resources and Policy Committee meeting for further consideration.

CARRIED 9 VOTES TO 0

Item 11.8 – Continued...

11.8.2 Withdrawn Item 10.2.1 – Chief Executive Officer – Long Service Leave

BASS MOVED, DORNFORD SECONDED, that the Committee recommendation not be adopted and that to ensure his availability to advise Council, the Chief Executive Officer's leave be deferred until the Minister for Local Government's reply is received in respect to Council's response to the Inquiry Recommendation.

LOST 2 VOTES TO 7

For: Bass, Bettridge

*Against: Godfrey, Blair, Marks
Richardson, Whiteley
Powell, Dornford*

MARKS MOVED, POWELL SECONDED, that the Committee Recommendation be adopted without amendment or modification.

CARRIED 8 VOTES TO 1

*For: Godfrey, Blair, Marks
Richardson, Whiteley
Powell, Dornford, Bettridge*

Against: Bass

12. REPORTS OF OFFICERS**12.1 INFORMATION ONLY ITEMS**

Report by Acting Chief Executive Officer

APPLICATION

Council's acknowledgment of receipt of information of general interest.

IS THIS PROPOSAL CONSISTENT WITH COUNCIL'S CORPORATE PLAN?	YES
<i>"Operational Plan O1/1(c) - To keep Councillors informed of relevant industry and officer activities, regular update reports be presented to the respective committees".</i>	

BACKGROUND

This item relates to information circulated by the Chief Executive Officer which may be of general interest to Councillors.

COMMENT

General information and memorandums:

DATED	SUBJECT
24 April 2003	Local Government News: Issue No. 17.03
24 April 2003	Information Reports for Councillors – Works and Technical Services <ul style="list-style-type: none"> • Parks and Gardens Management Report – February/March 2003 • Minutes of Meetings • Customer Request • Processing of Applications by Engineering Division • Works Programme – Progress Report
28 April 2003	Membership to the WA Local Government Grants Commission (Hand delivered to Councillors at Council meeting 28/4/03)
28 April 2003	1. Redevelopment of Ascot Inn Site (faxed on 28/4/03) 2. Background to Former Cloverdale Hotel Site (faxed on 28/4/03)
30 April 2003	Local Government News – Wednesday 30 April 2003
2 May 2003	Belmont-Victoria Park Catchment Group Newsletter
2 May 2003	Alleged Brothel – 8/184 Fulham Street, Kewdale
2 May 2003	Inquiry Publicity
2 May 2003	City of Belmont 'Consolidated' Inquiry Report
2 May 2003	Development Application Referral – Satellite Dish (9 Samphire St)
2 May 2003	This Week at ALGA – 2 May 2003

Item 12.1 – Continued...

DATED	SUBJECT
2 May 2003	WALGA Vacancies <ul style="list-style-type: none"> • Bush Fire Brigade Capital Grants Committee • State Emergency Service Capital Grants Committee
2 May 2003	Memo – Photographs
7 May 2003	Employment of Senior Environmental Officer (Faxed 7/5/03)
9 May 2003	Local Government News: Issue 18.03 (2/5/03)
9 May 2003	EMRC Regional Tourism Development Programme Achievements 2003/2003 and Planned Activities 2003/2004
9 May 2003	Agenda Delivery System
9 May 2003	Financial Interest and Disclosure of Interest Affecting Impartiality Forms
9 May 2003	Local Government News – Wednesday 7 May 2003
9 May 2003	Belmont Primary School. Lot 9631 (213) Great Eastern Highway
9 May 2003	Article from 'The Weekend Australian Financial Review' - 24-27 April
9 May 2003	Farewell Dave Harris
9 May 2003	Intermaps Demonstration for Businesses
9 May 2003	This Week at ALGA – 9 May 2003
9 May 2003	WALGA Elected Member Development Program – Courses for Councillors to attend
9 May 2003	Information Reports for Councillors – Community and Executive Services <ul style="list-style-type: none"> • Recreational and Cultural Update – May 2003 • Manager – Administrative Services – Monthly Report • Manager – Community Services – Monthly Report • Manager – Library Services – Monthly Report
9 May 2003	Securing Water Supply in Cities and Towns
15 May 2003	Employee Passed Away (10 Faxed 12:55pm 15/5/03)
16 May 2003	WALGA – Proposal for a Local Government Disciplinary Tribunal
16 May 2003	Local Government News: Issue 19.03 (9/5/03)
16 May 2003	Replacement Page – 'Representatives on Committees and Other Groups' Document
16 May 2003	WALGA Vacancies <ul style="list-style-type: none"> • WA Library Board • Local Health Authorities Analytical Committee
16 May 2003	Environment Monitoring Group – Change of Meeting Date
16 May 2003	Local Government News – Wednesday 14 May 2003

Item 12.1 – Continued...

DATED	SUBJECT
16 May 2003	Information Reports for Councillors – Planning and Development <ul style="list-style-type: none"> • Manager – Building Services Report for 1/4/03 to 30/4/03 • Manager – Health Services Quarterly Report • Housing Report • Homeswest’s Presence in the City of Belmont • Notes of the Environment Monitoring Group Meeting 9/4/03 • Report on the National Planning Congress of the PIU 31/3/03 • Details of Items Determined Under Delegated Authority • Outstanding Items
16 May 2003	PDC Agenda Item 9.6.1 – Lot 3 Abernethy Road, Belmont
16 May 2003	Information Reports for Councillors – Corporate Services <ul style="list-style-type: none"> • Appointments and Resignations 12 April 2003 to 16 May 2003 • Update on Marketing and Promotional Activities – April 2003 • Monthly Update on Donations – April 2003 • Analysis of Investments as at 30 April 2003
16 May 2003	Presentation – Denis McLeod – Standing Orders and Code of Conduct
23 May 2003	Local Government News: Issue 20.03 (16/5/03)
23 May 2003	Claims for Councillor Expenses
23 May 2003	Local Government News – Wednesday 21 May 2003
23 May 2003	WALGA – Review of the Model Code of Conduct

BLAIR MOVED, MARKS SECONDED -

1. ***That the information provided to all Councillors and listed in this “Information Only Items” report (excluding the Analysis of Investments section of the Corporate Services Information Reports) be noted and received.***
2. ***That the Analysis of Investments section of the Corporate Services Information Reports be noted and received.***

CARRIED 8 VOTES TO 1

*For: Godfrey, Blair, Marks
Richardson, Whiteley
Powell, Bass, Bettridge*

Against: Domford

12.2 STANDING COMMITTEE STRUCTURE - REVIEW

Report by Acting Chief Executive Officer

APPLICATION

To advise Council of progress on the report of the review of the City's Committee structure.

IS THIS PROPOSAL CONSISTENT WITH COUNCIL'S OPERATIONAL PLAN?	YES
<i>"Organisational Strategy #05/1(d) – Review and, where appropriate, amend existing administrative and other organisational procedures"</i>	

BACKGROUND

At the 5 May Special Council Meeting, the following resolution was passed:

'that in order to encourage better decision making at both Council and Committee meetings the Council request the Chief Executive Officer to:

- 1. conduct a review of the Council's Standing Committee structure with a view to amalgamating the current three Standing Committees, comprising 3 – 4 elected members into two larger committees; and*
- 2. provide a report to Council at its next meeting".*

Research is currently being conducted and data is being sought from other metropolitan local governments. Once all of this data is collected, collated and studied, a comparison with the City of Belmont's current structure can be undertaken, options can be considered and a proposal can be put to Council for its consideration.

COMMENT

The study sought by Council is one of some significance and it was not possible to undertake and conclude the study by tonight's meeting.

BLAIR MOVED, GODFREY SECONDED -

That Council note the progress report of the 'Standing Committee Review Study' and that a detailed officer report will be presented to the Resources and Policy Committee, upon its completion.

CARRIED 9 VOTES TO 0

13. REPORTS OF DELEGATES

13.1 CR GODFREY – 2003 NATIONAL TUG-OF-WAR CHAMPIONSHIPS

Cr Godfrey reported "On Saturday 17 May 2003 it was my pleasure to represent the City of Belmont and officially open the 2003 National tug-of-war championships.

The event was organised by the Tug-of-War Association. The indoor events were held at the Oasis Leisure Centre and the day events were held at the Belmont Sports and Recreation oval. Teams came from Queensland, Victoria, Tasmania, South Australia, Western Australia and New South Wales.

The official opening was held on Saturday at 9.00am. The City of Belmont band played the national anthem and other Australian music.

Each year the Association of Tug-of-War Australia holds its National Titles in one of the member states. This year it was Western Australia's turn and on behalf of the City of Belmont, I welcomed approximately 130 competitors and the officials who had chosen Belmont as their venue. Most of them stayed at motels along Great Eastern Highway.

On Thursday evening some most unusual weather blew down the tents, however this did not prevent a most successful competition and celebration.

It was good to see a sport with a mixture of men, women and young people participating for fitness and at the same time, as part of a team. This sport has been around for thousands of years and is engraved on the Egyptian pyramids.

An event such as this requires a lot of preparation and training. It also provides the opportunity to make friends with members from other states.

BLAIR MOVED, BASS SECONDED, that the report of Cr Godfrey be received and noted.

CARRIED 9 VOTES TO 0

14. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil.

15. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

16. CLOSURE

There being no further business to discuss, the Deputy Mayor declared the meeting closed at 10.13pm.